

ASSOCIATION OF LEGAL PROFESSIONALS ~ ALP

December 21, 2012

Marco Mercado
Office of Employee Relations
City of San Jose
200 E. Santa Clara St.
San Jose, CA 95113

Re: Status of Labor Negotiations

Dear Mr. Mercado:

The purpose of this letter is to inquire about the status of changes that the City and ALP agreed to make to the City's December 11, 2012 proposal to ALP. On Tuesday, December 18, 2012, our bargaining team waited after our negotiating session for the City team to make minor changes to the partial tentative agreement (PTA) on many of the matters that we are currently negotiating with the City upon the representation that we would have a signed PTA on those issues by both parties. However, after waiting some time, Carl Mitchell and I needed to leave for other appointments, so we told you we had to leave, that I would be on holiday beginning today until January 7, and that you could send us the PTA the next day. In response, you represented that you would have the TA to ALP on Wednesday (12/19) or Thursday (12/20).

We are disappointed that the City has not presented us with the agreed upon TA, and therefore inquire what the City's intent is with regard to the partial TA.

Additionally, the City's negotiating team represented during our November 11, 2012 negotiation session that it would provide ALP with its changes to other items in the December 3, 2012 ALP proposal that the City did not address in its December 11 proposal. The City's negotiating team represented on December 11 that it would provide ALP with responses and proposals to those items not included in its December 11 proposal within a week or so, with the intent of potential resolution before the holidays. ALP has received no additional proposals from the City on items contained in its December 3 proposal that were not included in the December 11 City proposal.

At our December 18 meeting, Jennifer Schembri attended for part of the meeting to provide ALP with a City proposal on Retiree Healthcare. As our team indicated at that meeting, this proposal and our continuing negotiations indicate that the City and ALP are not at impasse as previously represented by the City. ALP will be responding to the City's new Retiree Healthcare proposal.

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c/o City Attorney's Office, 200 E. Santa Clara St., 16th Floor, San Jose, CA 95113

Please inform ALP of the status of the PTA and the other proposals we were expecting from the City as represented in the December 8 and 11 negotiation sessions.

Very truly yours,

ASSOCIATION OF LEGAL PROFESSIONALS

/s/

VERA M. I. TODOROV
President

Mayor and Council Members
Debra Figone
Rick Doyle